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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

MUTUAL PHARMACEUTICAL COMPANY,
INC.; AR SCIENTIFIC, INC.; and AR
HOLDING COMPANY, INC.,

Plaintiffs,

v.

WEST-WARD PHARMACEUTICAL CORP.;
VISION PHARMA, LLC; and EXCELLIUM
PHARMACEUTICAL, INC.,

Defendants.

VISION PHARMA, LLC,

Counter-claimant,

v.

AR HOLDING COMPANY, INC.; AR
SCIENTIFIC, INC.; and MUTUAL
PHARMACEUTICAL
COMPANY, INC.,

Counter-defendants.

Civil Action No. 09-5421 (GEB)

ORDER

BROWN, Chief Judge

This matter comes before the court on: a motion by Defendant West-Ward
Pharmaceutical Corp. ("West-Ward") for summary judgment [Doc. No. 265]; a motion for a
continuance to obtain additional discovery [Doc. No. 275] by Mutual Pharmaceutical Company,

Inc., AR Holding Company, Inc., and AR Scientific, Inc. (collectively "Mutual"); and Defendant Excellium Pharmaceutical, Inc.'s request to join in West-Ward's motion for summary judgment [Doc. No. 281]; and the Court having considered the parties' submissions and decided the matter without oral argument pursuant to Federal Rule of Civil Procedure 78; and for the reasons set forth in the sealed memorandum opinion accompanying this order,

IT IS THIS 5th day of October, 2010, hereby

ORDERED that West-Ward's motion for summary judgment [Doc. No. 265] is DENIED without prejudice to its ability to file another motion after the close of discovery; and it is further

ORDERED that Mutual's motion for a continuance [Doc. No. 275] is DENIED as moot; and it is further

ORDERED that Excellium Pharmaceutical, Inc.'s request to join in West-Ward's motion for summary judgment [Doc. No. 281] is DENIED as moot.

/s/ Garrett E. Brown, Jr.
GARRETT E. BROWN, JR., U.S.D.J.